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Letter dated 15 December 2000 from the President of the General Assembly addressed to the Chairman of the Fifth Committee

I have the honour to transmit to you, for appropriate action by the Fifth Committee, a letter dated 11 December 2000 from the Permanent Mission of the Republic of Guinea-Bissau to the United Nations addressed to the President of the General Assembly (see annex).

(*Signed*) Harri **Holkeri**

00-80161 (E) 161200

Annex

Letter dated 11 December 2000 from the Permanent Mission of Guinea-Bissau to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Republic of Guinea-Bissau to the United Nations presents its compliments to the President of the fifty-fifth session of the United Nations General Assembly and, upon instructions from Mr. Iaia Djalo, Minister for Foreign Affairs, has the honour to hereby request your assistance on an issue of utmost concern to our delegation.

Because of the seriousness and the urgency of the matter, and since we were unable to participate fully in the deliberations when the issue was debated, the delegation of Guinea-Bissau would like to revisit an item that is currently under discussion in the Fifth Committee. That is, administration of justice in the United Nations.

In one of our previous statements before the Fifth Committee, we mentioned the injustices suffered by the Republic of Guinea-Bissau as far as representation among the staff of the Secretariat is concerned. Because, to us, this is an issue of national interest, against our normal practice, the delegation of Guinea-Bissau would again like to express here its deep concern over the treatment to which our only national working for the United Nations Secretariat has been subjected by the Department of Public Information and the Department of Management within its internal justice system.

While we do not intend to make the discussion of the details of this unfortunate case a part of the work of the Fifth Committee itself, as an alternative to needless and costly litigation, we wish to request the Committee to ask the Department of Management to carefully review this case, in strict observance of due process, of respect for the relevant United Nations rules and regulations and of the provisions of the Charter of the United Nations, without delay. However, should the Department of Management not wish to do so, my delegation would then like to urge the Department to meet immediately with the staff member concerned and his representatives to discuss the facts leading to the decision being contested as soon as possible.

As part of this exercise and as a matter of transparency, we wish to emphasize the absolute need for independent parties to be present at such meeting, namely representatives of the Fifth Committee, the Advisory Committee on Administrative and Budgetary Questions, the Joint Inspection Unit and the Staff Committee, to observe the proceedings. Since, as you will see, this is a very unusual case, we wish to have such a meeting on record.

If the parties are unable to settle the case by these means, in the absence of any provisions barring such action, and should the Committee deem it appropriate, my delegation would then like to suggest that, in the light of the several statements made before the Fifth Committee over the past few weeks by the Inspector of the Joint Inspection Unit, it may be useful indeed to have the staff member concerned address the Committee on the full details of this complex case. While it is not our intention to get involved in the day-to-day management of the Organization, we must not forget that the Member States are the United Nations. As such, whatever

happens here is our business. At issue in this particular case is the fundamental question of respect for the rule of law, due process and administration of justice, which we believe should be fair, just and equitable for all inside this unique Organization.

The Permanent Mission of Guinea-Bissau would very much appreciate it if you could have the present letter circulated as a document of the fifty-fifth session of the General Assembly and its contents brought to the attention of the relevant body for consideration.